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ACTION IO-16

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	HA-09	H-01
	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00
	OIC-02	PA-01	PRS-01	P-01	SP-00	SR-00	SS-00
	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	/044W	
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O 241802Z MAY 94  
FM USMISSION GENEVA  
TO SECSTATE WASHDC IMMEDIATE 9599  
INFO USMISSION USUN NEW YORK  
HUMAN RIGHTS COMMISSION COLLECTIVE  
AMEMBASSY ADDIS ABABA  
AMEMBASSY BUJUMBURA  
AMEMBASSY CAIRO  
AMEMBASSY DAR ES SALAAM  
AMEMBASSY KAMPALA  
AMEMBASSY KINSHASA

LIMITED OFFICIAL USE SECTION 01 OF 02 GENEVA 04732

E.O. 12356: N/A  
TAGS: PHUM, UNHRC-1, RW  
SUBJECT: HUMAN RIGHTS COMMISSION RWANDA SPECIAL SESSION  
- DAY ONE ENDS WITH NO SURPRISES, RESOLUTION  
- DRAFTING SURPRISINGLY SMOOTH

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SUMMARY

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1. DAY ONE OF THE HUMAN RIGHTS COMMISSION SPECIAL SESSION ON RWANDA WENT OFF WITHOUT ANY MAJOR SURPRISES. NUMEROUS COUNTRIES AND NGO'S WERE INSCRIBED TO SPEAK; NOBODY HAD ANYTHING STARTLING TO SAY. A THREE-HOUR DRAFTING SESSION IN THE AFTERNOON INDICATED NO SERIOUS PROBLEMS; WE ANTICIPATE THE TEXT WHICH WILL EMERGE WEDNESDAY MORNING WILL BE ACCEPTABLE TO THE COMMISSION MEMBERS. IT WILL CALL FOR APPOINTMENT OF A SPECIAL RAPPORTEUR, WHO WILL BE TASKED WITH PREPARING A REPORT IN SHORT ORDER. THE

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
DATE/CASE ID: 29 JUL 2011 201005065

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RAPPORTEUR WILL RECEIVE THE COOPERATION OF THE MAINS  
RAPPORTEURS AND OTHER SPECIAL MECHANISMS OF THE  
COMMISSION. WE ANTICIPATE THE RESOLUTION WILL ASK THE SYG  
TO MAKE THE REPORT AVAILABLE TO THE UNSC AND UNGA, AND  
WILL PROVIDE FOR ESTABLISHMENT OF HUMAN RIGHTS MONITORS IN  
RWANDA. THE RESOLUTION WILL ALSO EXPRESS THE COMMISSION'S  
BELIEF THAT ACTS OF GENOCIDE MAY HAVE OCCURED IN RWANDA,  
AND WILL INCLUDE REPORTING ON SUCH ACTS IN THE MANDATE OF  
THE RAPPORTEUR. OPPOSITION TO THE CANADIAN/NIGERIAN/  
CAMEROONIAN DRAFT WAS SUPRISINGLY MILD. WE ANTICIPATE THE  
DRAFT RESOLUTION WILL BE ADOPTED BY CONSENSUS BY THE CLOSE  
OF BUSINESS WEDNESDAY EVENING. END SUMMARY.

SPEECHES, ETC.  
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2. THE INTERVENTIONS BY MEMBER STATES AND OBSERVERS WERE  
FOR THE MOST PART UNREMARKABLE. BOWING TO THE WISH OF  
CHAIRMAN PALTHE AND THE BUREAU TO KEEP THE DEBATE SHORT,  
MOST STATEMENTS WERE LESS THAN FIVE MINUTES LONG, TEN AT  
MOST. THE UNITED STATES (HEAD OF DELEGATION FERRARO)  
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SPOKE NINTH (JUST AFTER NOON) FOLLOWING THE CHAIRMAN, ASYG  
FALL, CANADA, HCHR AYALA LASSO, THE OAU AMBASSADOR, ZAMBIA  
FOR THE AFRICAN GROUP, FRANCE (VICE MINISTER MICHAUD-  
CHEVRY), AND FINLAND FOR THE NORDICS. TEN MORE COUNTRIES  
SPOKE BEFORE HIGH COMMISSIONER FOR REFUGEES OGATA ENDED  
THE MORNING SESSION WITH A TYPICALLY ELOQUENT DESCRIPTUION  
OF THE SITUATION FACING REFUGEES AND INTERNALLY  
DISPLACED. RWANDA'S MINISTER OF AGRICULTURE SPOKE FOR THE  
INTERIM GOVERNMENT RIGHT AFTER THE LUNCH-BREAK; HIS  
HARD-HITTING REMARKS WERE STRONGLY CRITICAL OF THE RPF AND  
PRESIDENT MUSEVENI AND FORCED BELGIUMN TO SEEK A RIGHT OF  
REPLY. (WE WILL WORK WITH CHAIRMAN PALTHE TO ENSURE THAT  
AN RPF REPRESENTATIVE GETS THE CHANCE TO SPEAK WEDNESDAY  
MORNING.) THE AFTERNOON SAW 31 COUNTRIES AND 13 NGO'S  
INSCRIBED TO SPEAK; CHAIRMAN PALTHE DECIDED TO EXTEND THE  
SESSION UNTIL 19:00 TO GET AS MANY AS POSSIBLE OUT OF THE  
WAY ON THE FIRST DAY.

DRAFTING SESSION  
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3. AN OPEN-ENDED DRAFTING SESSION, OPEN TO ALL MEMBER AND  
OBSERVER STATES, MET FOR THREE HOURS IN THE AFTERNOON,  
GIVING OVER 20 DELEGATIONS THE CHANCE TO OFFER COMMENTS ON  
THE DRAFT RESOLUTION PREPARED BY CAMEROON, NIGERIA, AND

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CANADA. THE BIGGEST SURPRISES -- NO DELEGATION CHALLENGED THE THRUST OF THE TEXT, ALTHOUGH MANY HAD COMMENTS HERE OR THERE. MOST TYPICAL WAS NERVOUSNESS ABOUT THE HUMAN RIGHTS COMMISSION TREADING ON THE TOES OF THE SECURITY COUNCIL, BUT IT APPEARED CAREFUL DRAFTING COULD OVERCOME THOSE HESITATIONS BY CHINA, CUBA, MEXICO, ETC. INDIA AND ONE OR TWO OTHERS

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WERE RELUCTANT TO ASK THE SYG TO MAKE THE RAPPORTEUR'S REPORT "AVAILABLE TO THE SECURITY COUNCIL," BUT OTHERS SUPPORTED THE IDEA AND EVEN SUGGESTED DOING THE SAME FOR THE GENERAL ASSEMBLY. ALL APPEARED TO ACCEPT THAT THE COMMISSION WOULD CREATE A SPECIAL RAPPORTEUR; FEW RAISED QUESTIONS ABOUT THE SPEED OR TIMING OF HIS REPORT. ADVISORY SERVICES WERE ALSO SUPPORTED, PROVIDED THAT RWANDA REQUESTS THEM. (WE KNOW THE CENTER HAS DRAWN UP A COMPREHENSIVE PROGRAM OF SERVICES WHICH IT WILL PROPOSE, PROBABLY DURING WEDNESDAY'S SESSION.) THE MOST POINTED COMMENTS AGAIN CAME FROM THE IRANIAN DELEGATE, WHO SUGGESTED THE COMMISSION INCLUDE LANGUAGE CRITICAL OF THE

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SECURITY COUNCIL'S DECISION TO REDUCE THE NUMBER OF UNAMIR  
FORCES IN THE IMMEDIATE AFTERMATH OF THE APRIL 6 EVENTS;  
NOBODY PAID HIM MUCH HEED.

4. ON THE POSITIVE SIDE, WESTERN DELEGATIONS WERE  
GENERALLY UNOPPOSED IN SUGGESTING IMPROVEMENTS. IN  
PARTICULAR, PREAMBULAR LANGUAGE WAS OFFERED (A LA UNSC  
RES. 918) NOTING THE DEFINITION OF GENOCIDE AND "BELIEVING  
THAT ACTS OF GENOCIDE HAVE OCCURRED IN RWANDA," AND  
OPERATIVE LANGUAGE WHICH CALLS ON THE RAPPORTEUR "TO  
COMPILE SYSTEMATICALLY INFORMATION ON POSSIBLE VIOLATIONS  
OF HUMAN RIGHTS, AND ACTS WHICH MAY CONSTITUTE BREACHES OF  
INTERNATIONAL HUMANITARIAN LAW AND CRIMES AGAINST  
HUMANITY, INCLUDING ACTS OF GENOCIDE IN RWANDA, AND TO  
MAKE THIS INFORMATION AVAILABLE TO THE SYG." IN ADDITION  
TO THE LATTER PHRASING, NETHERLANDS OFFERED LANGUAGE ON  
PREVENTING INCITEMENTS TO VIOLENCE AND RACIAL HATRED BY  
BOTH GOR AND RPF, AND ON HUMANITARIAN ACCESS TO PERSONS  
BEING DETAINED. FINLAND SUGGESTED LANGUAGE IN THE  
PREAMBLE ON INCLUDING "A HUMAN RIGHTS PERSPECTIVE" IN ALL  
UN ACTIVITIES AND OF A HUMAN RIGHTS COMPONENT IN THE

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POLITICAL PEACE PROCESS. CANADA SECONDED THE MOTION AND  
SUGGESTED PUTTING SOMETHING SIMILAR IN THE OPERATIVE  
SECTIONS, AN IDEA THE U.S. DELEGATION SUPPORTED. THE  
SESSION ENDED WITH A STRONG STATEMENT BY THE NIGERIAN DCM  
STRESSING THAT THE COMMISSION CANNOT IGNORE SECURITY  
ISSUES IN RWANDA, JUST AS THE SECURITY COUNCIL COULD NOT  
IGNORE HUMAN RIGHTS AND HUMANITARIAN ISSUES. HE ALSO  
POINTED OUT AFRICAN SUPPORT FOR THE DRAFT TEXT AND THE  
NEED FOR THE COMMISSION TO SEND A CLEAR SIGNAL, TO THE  
PARTIES IN RWANDA, AND STRONGLY SUPPORTED THE IDEAS OF A  
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SPECIAL RAPPORTEUR AND A TEAM OF HUMAN RIGHTS MONITORS.

NEXT STEPS  
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5. THE THREE CHAIRMEN OF THE DRAFTING SESSION WILL WORK  
LATE TUESDAY TO INCORPORATE AS MANY ELEMENTS AS POSSIBLE  
FROM THE DRAFTING SESSION INTO THE FINAL TEXT, WHICH THEY  
EXPECT WILL BE READY AT THE OPENING OF BUSINESS  
WEDNESDAY. THE COMMISSION HAS WAIVED THE 24-HOUR RULE AND  
SHOULD BE PREPARED TO "TAKE ACTION" ON THE DRAFT TEXT  
WEDNESDAY AFTERNOON. WE BELIEVE THAT THE TEXT WHICH  
EMERGES WILL BE ADOPTED BY CONSENSUS, ALTHOUGH ONE OR TWO  
DELEGATIONS MAY MAKE FLOOR SPEECHES RAISING FOR THE RECORD  
IN PLENARY THE SAME POINTS THEY MADE IN THE DRAFTING  
SESSION.

6. MISSION HAS DISCUSSED POSSIBLE RAPPORTEURS WITH ONE OR  
TWO OTHER DELEGATIONS. CONSENSUS IS THAT THE RAPPORTEUR  
SHOULD BE AN AFRICAN, BUT FEW NAMES HAVE BEEN OFFERED BY  
THE OTHER REGIONAL GROUPS. CANADA IS BACKING AHMADOU  
ALMAMI TOURE OF MALI IN DISCUSSIONS WITH CHAIRMAN PALTHE  
(A NAME WE HAVE ALSO GIVEN HIM, ALONG WITH RAYMOND SOCK).  
WE WILL TRY TO SOUND HIM OUT DURING THE MORNING.

7. RESOURCES WILL OF COURSE BE A PROBLEM OVER TIME, BUT  
NO ONE HAS RAISED THE SUBJECT YET. WE EXPECT THE CENTER  
WILL ABSORB THE COST AND THEN USE THIS UNFORSEEN MANDATE  
AS A MEANS TO PRESSURE THE SECRETARIAT FOR ADDITIONAL  
FUNDS. THERE WILL DOUBTLESS ALSO BE A CALL FOR VOLUNTARY  
CONTRIBUTIONS, ESPECIALLY FOR THE ADVISORY SERVICES  
PROGRAM.

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8. MINIMIZE CONSIDERED. SPIEGEL

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